

**MINUTES OF THE COTTONWOOD HEIGHTS CITY COUNCIL LEGISLATIVE
WORK SESSION HELD THURSDAY, FEBRUARY 3, 2022, AT 9:00 A.M. IN THE
COTTONWOOD HEIGHTS CITY COUNCIL WORK ROOM LOCATED AT 2277 EAST
BENGAL BOULEVARD**

Members Present: Mayor Mike Weichers, Council Member Douglas Petersen, Council Member Scott Bracken, and Council Member Shawn E. Newell

Staff Present: City Manager Tim Tingey, Records Culture and Human Resources Director Paula Melgar, Community and Economic Development Director Michael Johnson, Community and Economic Development Senior Planner Andrew Hulka, Finance and Administrative Services Director S. Scott Jurgens, Network Administrator Matt Ervin

City Lobbyists: Greg Curtis, Brian Allen, Chantel Nate

Excused: Council Member Ellen Birrell

1. Welcome and Determination – Mayor Weichers.

Mayor Mike Weichers called the meeting to order at 9:00 a.m.

2. Legislative Update and Discussion with City Manager, Tim Tingey, and City Lobbyists: Mr. Greg Curtis, Mr. Brian Allen, and Ms. Chantel Nate.

City Manager, Tim Tingey welcomed City Lobbyists Greg Curtis, Brian Allen, and Chantel Nate to the Cottonwood Heights City Council Legislative Work Session. He asked Mr. Allen and Ms. Nate to discuss some of the notable bills and Mr. Curtis to share a report with the Council.

Mr. Allen informed the Council that the Legislative Session started slowly. However, the bill filing deadline and the deadline to make bills public had since passed and there were now many bills of concern. He discussed a bill related to financial incentives for retail and explained that he was currently working with the Utah League of Cities and Towns (“ULCT”) to add language that would make the bill more palatable. There seemed to be some movement on the part of the sponsor, Representative Mike Shultz, to accommodate some of the issues that had been raised.

The public meetings and public comment bill, sponsored by Representative Brady Brammer, were discussed. Mr. Allen explained that Representative Brammer made some concessions, but those concessions had not gone far enough. Mr. Allen was still working with him on that and hoped to see some additional changes made. He noted that Mr. Tingey shared email comments related to House Bill (“H.B.”) 303 and those comments would be passed along. Mr. Allen intended to meet with the sponsor to obtain a better understanding of what the bill hoped to accomplish. He agreed that the bill seemed to be one-sided and somewhat vague in certain areas.

Mr. Allen reported that there were some billboard-related bills to consider. However, he had spoken to the billboard lobbyist as well as the sponsors of those bills and did not believe the bills would move forward during the current Legislative Session. Mayor Weichers asked for additional information about the billboard bills. Mr. Allen explained that there were only titles, and it was unclear what the billboard bills intended to do. He believed the billboard companies were in negotiations with Salt Lake City and the bills had been dropped to leverage those discussions.

There was one positive bill that would allow funds for the Bonneville Shoreline Trail to build the trail and acquire needed property. Mr. Allen believed that the bill could be beneficial to the City. Most of the other bills were fairly minor. Some of the problematic bills had been fixed and others continued to be negotiated and discussed. In general, he felt that the Legislative Session had gone well so far. He would continue to track bills that were relevant to the City.

Mayor Weichers asked about the concessions that had been made at the public meetings and the public comment bill. Mr. Allen explained that initially, the bill stated that a public comment period would need to be offered in every public meeting. Representative Brammer agreed to reduce that somewhat. Mr. Tingey stated that the intent was to remove public comment periods from work sessions and advisory meetings. That would focus on the public comment periods.

Mr. Curtis explained that after hearing about the public meetings and public comment bill, he reached out to some members of the House as well as Senate Leadership who served on other committees. He informed them that the bill as originally written could lead to very long and potentially taxing meetings. Mr. Curtis believed that Representative Brammer would continue to make important changes and clarifications to the language. Mr. Allen reported that Representative Brammer agreed to remove Work Sessions and Planning Commission Meetings. However, there were still Arts Council and Historic Council Meetings. Mr. Curtis noted that active negotiations were taking place with Representative Brammer.

Mayor Weichers wanted to know if there had been any movement on H.B. 151. Mr. Tingey noted that H.B. 151 is the retail incentive bill. Mr. Allen explained that negotiations were ongoing. He believed there would be changes to that bill as Representative Shultz had been open to ideas and suggestions. There had been a major effort from the ULCT, and the City Lobbyists were providing input where possible. It sounded like the language was moving in the right direction, but the language had not yet been finalized. Mr. Tingey stated that one of his concerns had to do with redevelopment projects. He was concerned that there may not be an opportunity to have incentives for environmental remediation on sites due to a retail component. That was one of the issues that ULCT was working to address. Mayor Weichers noted that there was a housing exception, which was good, but the moderate housing percentage was too high. Discussions were had about the moderate housing percentage. Mr. Allen pointed out that there was pushback from developers on that as well and it was possible that changes could be made.

Mr. Curtis shared information related to funding. He noted that there had not been any significant budget decisions made yet. However, the Appropriations Committee Meeting had taken place to pass the base budgets. There were also reports on recommendations for infrastructure projects. One of the things that was slightly different this session was that there was pushback on listing out individual projects. For instance, if there was support for trails, rather than listing individual trail

projects, that task would be forwarded to the Office of Outdoor Recreation to establish a process. Rather than the Legislature discussing individual projects, that task would be handled by different agencies and entities. Mr. Curtis noted that the Speaker was supportive of trail funds.

There was a meeting scheduled between Mr. Curtis and Representative Shultz related to transportation. He noted that there was not an agency in place where the money could be sent because the Utah Department of Transportation (“UDOT”) did not look at local roads. UDOT would focus that money on State Roads but there were a lot of significant regional roads that also needed attention. It was important to have an appropriate agency or entity in place for those funds.

Mr. Tingey reported that there was a trail bill with some opposition, which was H.B. 227. There were other trail bills that the City was looking at, but that bill, in particular, had a lot of opposition. He noted that he had been working with Police Chief, Robby Russo on some of the law enforcement bills. The State Chief of Police Association was also providing input on those bills. Council Member Petersen asked about the Bonneville Shoreline Trail. He noted that the trail connections were important and wondered if anything was being done to get those trail connections in place. There were several gaps, even within Cottonwood Heights. Mr. Tingey noted that there was an appropriation bill that included wording about the Bonneville Shoreline Trail and acquisition dollars. He felt that positive movement was being made there. Mr. Allen clarified that the bill was H.B. 305, and the language had just been released. It looked positive as there were references to funding as well as processes to complete the Bonneville Shoreline Trail.

Council Member Petersen asked about Accessory Dwelling Units (“ADU”). He noted that ADUs are a significant issue within Cottonwood Heights. Mr. Tingey stated that there were bills related to short-term rentals that were being looked at. In addition, the ULCT had done some work related to ADUs and short-term rentals and a survey was conducted through the Kem C. Gardner Policy Institute. The survey pertained to the number of short-term rentals across the State and the potential impacts on housing stock. Mr. Tingey explained that Cottonwood Heights had legal short-term rentals that went through a process and there was no opposition to those rentals. However, the short-term rentals that were done illegally were an issue in the City. The ULCT was focused on the latter. Mr. Allen stated that there was no Legislation on ADUs in the current Legislative Session, but there were some potential bills for short-term rentals. The bills likely to receive traction would be related to enforcement and higher penalties for illegal short-term rentals.

Council Member Newell wondered if there were updates to H.B. 95. Mr. Allen reported that he had spoken to Representative Raymond Ward about the bill and had worked with the ULCT. Some beneficial changes had been made, but there was one area of concern that remained. A large housing development with a lot of multi-family units did not have a provision for the City or County to require a lawn area for that development. The goal was to have a recreation or common area in larger housing developments designated under the park definition. That would allow for some grass and lawn in the area. Mr. Tingey added that there was also a desire to clarify the maintenance elements in that bill.

Mr. Allen discussed H.B. 282 from Representative Ryan Wilcox, which focused on water-wise landscaping. There had not been an opportunity to fully review that bill or speak to Representative

Wilcox yet, but he would work through that in the future. Council Members thanked the City Lobbyists for their participation and hard work. Mayor Weichers expressed his appreciation.

3. Adjourn.

MOTION: Council Member Petersen moved to adjourn. The motion was seconded by Council Member Bracken. The motion passed with the unanimous consent of the Council.

The Work Session adjourned at 9:31 a.m.

I hereby certify that the foregoing represents a true, accurate, and complete record of the Cottonwood Heights City Council Legislative Work Session held Thursday, February 3, 2022.

Teri Forbes

Teri Forbes
T Forbes Group
Minutes Secretary

Minutes Approved: February 15, 2022